

**Notice of Allowability**

Application No.

10/821,249

Applicant(s)

KLEIN ET AL.

Examiner

Art Unit

Leslie J. Evanisko

2854

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment and terminal disclaimer filed 07/06/2005 and interview on 09/15/2005.
2. ☒ The allowed claim(s) is/are 1,2,4-20 and 22-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

**EXAMINER'S COMMENT**

1. The terminal disclaimer filed on July 6, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent application no. 10/791,305 has been reviewed and is accepted. The terminal disclaimer has been recorded.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dov Rosenfeld (reg. no. 38,687) on September 15, 2005.

The application has been amended as follows:

**IN THE CLAIMS:**

In claim 1, line 14, the term --is-- was inserted after "compartment" to correct an obvious informality since it appears this term was inadvertently left out of the claim.

In claim 1, lines 20-22 were deleted in their entirety.

In claim 1, line 25, before the period ".", the following text was inserted:  
--, wherein the automatic plate loader is configured to partially remove the

plate from the particular compartment prior to the plate being moved to a plate's loading horizontal position--.

In claim 2, line 2, the term "removes" was deleted and replaced with -- completes removing of-- to better clarify how the automatic plate loader removes the plate.

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

Note the previous comments set forth in the Office Action dated March 25, 2005 regarding the allowability of claims 3, 10-15, and 25-28.

With respect to claims 7 and 20 in particular, the prior art of record fails to teach or fairly suggest an apparatus or method to aid in the loading and unloading of flexographic plates to and from an imager including all of the structure or method steps as recited, in combination with and particularly including, the lifting mechanism operative to lift and lower the compartments of the magazine one compartment at a time, with the compartments arranged such that the rest positions of each of the compartments are lower than the loading vertical position such that a particular compartment pre-loaded with a plate is lifted from its rest vertical position to the loading vertical position, then moved while at the loading vertical position to the loading horizontal position for loading onto the imager.

With respect to claims 8 and 16 in particular, the prior art of record fails to teach or fairly suggest an apparatus or method to aid in the loading and unloading of flexographic plates to and from an imager including all of the structure or method steps as recited, in combination with and particularly including, the lifting mechanism operative to lift each compartment from the respective loading vertical position after the plate is imaged and unloaded from the imager to a respective imaged vertical position for the particular compartment.

With respect to claim 22 in particular, the prior art of record fails to teach or fairly suggest a method to aid in the loading and unloading of flexographic plates to and from an imager including all of the structure as recited, in combination with and particularly including, pre-loading the particular compartment with a pre-sensitized CTP flexographic plate such that the plate is in the compartment without a cover sheet.

With respect to claim 23 in particular, the prior art of record fails to teach or fairly suggest a method for loading a flexographic plate to an imager including all of the structure as recited, in combination with and particularly including, transporting the magazine from a storage location to an imaging location adjacent the imager.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

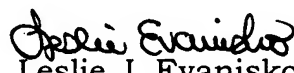
preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lje  
September 15, 2005

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854